

REMARKS

This Amendment is in response to the Office Action date September 21, 2006. The Examiner set a shortened statutory reply period of one month, thereby making the response due on October 21, 2006. As October 21, 2006 occurs on a weekend, this Amendment is timely filed as it is filed on the first business day following the weekend.

The Examiner has restricted the claims into four groups:

Group I: Claims 1-21 and 51-58 (Class 705, Subclass 35)

Group II: Claims 22-34 (Class 705, Subclass 39)

Group III: Claims 35-41 (Class 705, Subclass 35)

Group IV: Claims 42-50 (Class 705, Subclass 37)

Applicant hereby provisionally elects Group I (Claims 1-21 and 51-58) and respectfully traverses the restriction entered by the Examiner.

Applicant respectfully argues that Groups I and III should not be restricted. Groups I and III are in the same Class and Subclass (Class 705, Subclass 35). Furthermore, a method of selling resources, as claimed in Group III, is a form of conducting transactions over a network, as claimed in Group I. As such, Group I and III are not distinct as they overlap in scope.

Group II, which is directed to transferring resources from one entity to another, is a form of conducting transactions over a network and, as such, overlaps in scope with Groups I and III.

Similarly, Group IV is directed to facilitating a transaction between an initiator and a target. As can be appreciated from line 3 of claim 42, “[r]eceiving a call in connection with a transaction to be initiated, said call identifying an entity to be held accountable for the transaction,” the claims of Group IV also involve transactions using a network, namely a telephone based network. Thus, Group IV overlaps with Groups I, II, and III.

The Examiner states that subcombinations are distinct if they do not overlap in scope and are not obvious variants and if it is shown that at least one subcombination is separately usable. Applicant states that Groups I, II, III and IV overlap in scope, namely that they are directed to techniques for conducting transactions. As such, Applicant believes that the claims should not be restricted.

Applicant respectfully urges that the Restriction entered in this matter be withdrawn.

Please charge any additional fee occasioned by this paper to our Deposit Account No. 03-1237.

Respectfully submitted,



Duane H. Dreger
Reg. No. 48,836
CESARI AND MCKENNA, LLP
88 Black Falcon Avenue
Boston, MA 02210-2414
(617) 951-2500